

JUDGE CROTTY.**08 CIV 6567**

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Attorneys for Hasbro, Inc..

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK



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HASBRO, INC.,	:	
	:	
Plaintiff,	:	08 Civ.
	:	
- against -	:	<u>COMPLAINT</u>
	:	
	:	Jury Trial Demanded
RJ SOFTWARES, RAJAT AGARWALLA and	:	
JAYANT AGARWALLA,	:	
Defendants.	:	

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Plaintiff Hasbro, Inc. ("Hasbro"), through its undersigned counsel, for its complaint against Defendants Rajat Agarwalla, Jayant Agarwalla and RJ Softwares (collectively "RJS") alleges as follows:

INTRODUCTION

1. This is an action for trademark and copyright infringement against Rajat and Jayant Agarwalla and their company, RJ Softwares, for creating and publicly displaying an online game that copies the essential and original elements of Hasbro's venerable and famous SCRABBLE® crossword board game and for promoting and profiting from it in the commerce of the United States under the confusingly similar "Scrabulous" name.

PARTIES

2. Plaintiff Hasbro is a corporation duly organized and existing under the laws of the State of Rhode Island, with its principal place of business in Pawtucket, Rhode Island. Hasbro is a worldwide leader in the design, manufacture and marketing of toys, games and puzzles.

3. Upon information and belief, Rajat Agarwalla and Jayant Agarwalla are citizens and residents of India and formed RJ Softwares under the laws of the Nation of India. Its principal place of business is in Kolkata, West Bengal, India.

4. Upon information and belief, Rajat and Jayant Agarwalla personally instigated, directed, and controlled the unlawful activities complained of herein.

JURISDICTION

5. This action arises under the Lanham Act, 15 U.S.C. §§ 1114(1), 1125(a) and 1125(c), and the Copyright Act, 17 U.S.C. § 501. This Court therefore has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121 (actions arising under the Lanham Act), as well as 28 U.S.C. § 1331 (action arising under the laws of the United States), § 1338(a) (action arising under an Act of Congress relating to copyrights and trademarks), and § 1367 (supplemental jurisdiction over non-federal claims sufficiently related to federal claims).

6. This Court has personal jurisdiction over the defendants because they have committed infringing acts in the State of New York.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b), (c) and (d), and 1400(a).

FACTUAL ALLEGATIONS

The Origins of the SCRABBLE® Crossword Game and Hasbro's Ownership of It

8. The SCRABBLE® crossword game is a word-based board game in which 2 to 4 players earn points by forming words horizontally or vertically on a two-dimensional board from 7 randomly selected letters.

9. The origins of the SCRABBLE® crossword game may be traced to the depths of the Great Depression, when in 1931 an out-of-work architect in Poughkeepsie, New York, named Alfred Mosher Butts invented a game he called "Lexico." Over the next seventeen years Butts tinkered with the design and play of Lexico, hand-crafting over 200 games. An entrepreneur and purchaser of one of Butts' early hand-made games named James Brunot struck a manufacturing deal with Butts in 1948. Brunot changed the game's name to "SCRABBLE" and filed copyright and trademark registrations for the game in December 1948.

10. In 1953 Brunot licensed the manufacturing rights in the United States to Selchow & Righter Co., and in 1968 he sold the rights for the world outside the United States and Canada to J.W. Spear & Sons.

11. In 1986, Selchow & Righter Co., sold their United States and Canadian rights to Coleco. In 1987, Coleco sold the United States and Canadian rights to Milton Bradley Company, then a wholly owned subsidiary of Hasbro that was subsequently merged into Hasbro.

12. In 1994, J.W. Spear and Sons were acquired by Mattel Inc., which today owns the rights outside of the United States and Canada.

The Success and Fame of the SCRABBLE® Crossword Game and Its Trademark

13. In the over 75 years since its creation, demand for the SCRABBLE® crossword game has grown enormously. It has become one of the most popular and well known

board games and has developed an intensely loyal following. Over 100 million SCRABBLE® games have been sold in 29 languages in over 100 countries around the world.

14. Annual SCRABBLE® tournaments are held in different languages around the world. National SCRABBLE® associations have been formed in dozens of countries, including the United States. The National SCRABBLE® Association of the United States describes itself as "operat[ing] in a partnership between SCRABBLE enthusiasts and Hasbro, Parker Brothers' parent company. Founded in 1978, it is the official organization of North America's 10,000 tournament SCRABBLE game players. The NSA is in constant contact with Hasbro's marketing and public relations departments, finding new ways the SCRABBLE culture can help market the game." Its annual championship tournament was recently the subject of a theatrically released motion picture called "Word Wars," described as "a look at the obsessive world of competitive Scrabble," another film called "Scrabyton," and a book entitled "Word Freak."

15. Computer and video game versions of SCRABBLE® have been released for various operating and gaming systems, including PC, Mac, Amiga, Commodore 64, Game Boy Color, Game Boy Advance, Nintendo DS, PlayStation, PlayStation 2, Game.com, Palm OS, Amstrad CPC, and mobile telephones.

16. Since its acquisition of the game, Hasbro has broadly marketed and advertised the SCRABBLE® game. The game has been the subject of extensive unsolicited publicity and news articles, as well as books and films.

Relevant Features of the SCRABBLE® Crossword Game

17. Since Butts's first game in 1938, the essential features of SCRABBLE® have remained unchanged. As shown in the SCRABBLE® game board depicted in Exhibit 1, they include the following.

- A. The board is 15 squares by 15 squares.
- B. 100 tiles are provided, from which players randomly select 7 at a time to form words.
- C. 98 of the tiles have a letter centered in black, unadorned type with a corresponding point value in a subscript below and to the right of the letter; 2 blank “wild card” tiles are also provided.
- D. A specific number of tiles displaying each letter of the alphabet and of blank tiles are provided.
- E. The number and point value of each letter of the alphabet is based on Butts’ calculation of the frequency of its appearance on the front page of the *New York Times*. He artificially reduced the number of S’s to 4 because he felt too many would make the game too easy. The point values and distribution of the letters, unchanged since 1938, are:

0 Points	Blank x 2														
1 Point	E ×12	A ×9	I ×9	O ×8	N ×6	R ×6	T ×6	L ×4	S ×4	U ×4					
2 Points	D ×4	G ×3													
3 Points	B ×2	C ×2	M ×2	P ×2											
4 Points	F ×2	H ×2	V ×2	W ×2	Y ×2										
5 Points	K ×1														
8 Points	J ×1	X ×1													
10 Points	Q ×1	Z ×1													

18. The game starts with a player making a word beginning on the rose-colored square in the middle of the board. Subsequent words are formed following a crossword

technique. Unless a bonus square is used, the points for each play are those determined from adding the values of the letters used.

19. The SCRABBLE® playing board has bonus squares that give the player who puts a word on them double or triple letter scores and double or triple word scores. Those squares are colored, marked, and arranged as shown in Exhibit 1.

A. The center square is rose colored with a black star and the first player to take his or his turn receives a score that is double the value of the tiles.

B. The 4 corner squares and the 4 squares that are mid-way along each side (that is, that are 7 squares from the corners) are deep red in color and are labeled and award the player a “triple word score.” There are 8 total “triple word score” squares.

C. Starting with the tile diagonally closer to the middle of the board from each corner “triple word score” square, the next four squares diagonally toward the center of the board are rose in color and are labeled “double word score.” There are 16 total “double word score” squares.

D. “Triple letter score” squares are dark blue and “double letter score” squares are light blue. They form an “X” pattern through the center of the board and pyramid shapes off the sides of the board with the dark blue “triple letter score” squares forming the outer points of the “X” and the second level of the pyramids. There are 12 dark blue “triple letter score” squares and 24 light blue “double letter score” squares.

20. The game ends when a player uses the last of his tiles. The player who first does so receives the point values of all unplayed tiles. The value of each player's unplayed tiles is subtracted from his or her score, and the player with the highest score wins.

The Official SCRABBLE® Players Dictionary

21. Only English language words, and no proper nouns, may be used in playing the SCRABBLE® game in the United States and Canada. To determine what words may be used, Hasbro and its officially licensed and supervised National SCRABBLE® Association developed and published the National SCRABBLE® Association Official Tournament and Club Word List (“OWL”) for tournament play and The Official SCRABBLE® Players Dictionary (“OSPD”) for home play. Only words found in these dictionaries may be used.

22. The Official SCRABBLE® Players Dictionary is used in home play. First published in 1978, the words in it were chosen from a variety of other dictionaries, but it is not just a compendium of English words, and choices reflecting original judgments were made. Numerous words that would be found in a normal dictionary, such as proper nouns and geographic names, are not included in the OSPD. The Third Edition of the OSPD removed certain vulgar and offensive words that were not suitable for a family game.

23. The OWL, used in tournament play, is based on the OSPD but includes the vulgar and offensive words removed from later editions of the OSPD and omits definitions.

SCRABBLE® Copyright and Trademark Rights

24. Hasbro is the owner of the following valid and subsisting copyrights registered in the Copyright Office:

A. The Rules for Playing SCRABBLE® were first registered for copyright protection under registration No. AA 104547, published on December 1, 1948.

Selchow & Richter Co. renewed this copyright on February 23, 1976, as number R 626418.

B. The Gameboard for SCRABBLE® was first registered for copyright protection under registration No. K 18528 and published on December 1, 1948. Selchow & Richter Co. renewed this copyright on February 23, 1976, under registration number R 626417.

C. The Official SCRABBLE® Players Dictionary was first registered for copyright protection under registration No. TX 48841 and was first published on May 16, 1978.

Copies of these registrations are attached as Exhibit 2.

25. The SCRABBLE® name is inherently distinctive and has been registered as a trademark in the United States Patent and Trademark Office

A. on April 25, 1950, under registration number 524,505 for “equipment and accessories for playing a board game,”

B. on April 27, 1954, under registration number 589,217 for “scoring devices and turn-tables used in the playing of games and board games,”

C. on February 1, 1966, under registration number 802,995 for “equipment and accessories – namely anagrams, a dice cup, cubes and a timer – for playing a word game,”

D. on May 27, 1980, under registration number 1,136,336 for “apparatus for playing an electronic word game,” and

E. on November 26, 2002, under registration number 2,654,348 for “computer game programs.”

Copies of these registrations are attached as Exhibit 3.

26. All of the above-referenced trademark registrations are valid, subsisting, and have become incontestable pursuant to 15 U.S.C. § 1065.

27. The designs of the game board and of the tiles are also inherently distinctive and have achieved great consumer recognition as originating from a single source.

Defendants' "Scrabulous" Knock-Off

28. Rajat and Jayant Agarwalla launched "Scrabulous" in July 2006. "Scrabulous" is available *inter alia* at www.scrabulous.com and as an add-on application at apps.facebook.com/scrabulous. See Exhibits 4 (Scrabulous.com homepage) and 5 (Facebook's "Scrabulous" Application page).

29. There is no statement of the rules of "Scrabulous." The websites state under "Rules of Scrabulous" simply that "Scrabulous is easy! You can practice a few games to get the hang of it. Some of the rules of Scrabulous *online* are..." See Exhibit 6 ("Rules of Scrabulous" page at Scrabulous.com) (emphasis added). There is no "offline" version of "Scrabulous." The "rules" stated thereafter are rather warnings about indigenous features of online game play. There is no comprehensive statement of the rules of "Scrabulous." A user not already familiar with the rules of the SCRABBLE® crossword game would not know how to play "Scrabulous."

30. On information and belief, until earlier this year, defendants embedded "meta tags" in their website software to attract individuals searching the internet for keywords such as "SCRABBLE online", "play SCRABBLE online," and "free online SCRABBLE."

31. On information and belief, until earlier this year, defendants included on their website hyperlinks to official SCRABBLE® webpages, resources such as the official SCRABBLE® rules, and also other websites offering unauthorized and infringing versions of SCRABBLE®.

32. On information and belief, until earlier this year, defendants included on their website sections titled “Basics of SCRABBLE,” “Rules of SCRABBLE” and “SCRABBLE Online.” The Rules section of the website also linked to the official SCRABBLE® rules.

33. On information and belief, until earlier this year, defendants included on their website a confusing and inaccurate disclaimer that read “Scrabulous is a registered trademark of J.W. Spear & Son PLC and Hasbro Inc. Any and all uses of the word “Scrabulous” on these pages refers to this trademark. This webpage in no way is an attempt to confuse the visitor that it is the web page of Mattel or Hasbro brand Scrabulous... You have come to the wrong place if you are looking for the official Scrabulous, Mattel or Hasbro website.”

34. Defendants have conceded that Scrabulous is essentially an online version of SCRABBLE® by stating “It’s not really different.”

35. The “Scrabulous” game board consists of 15 squares by 15 squares. *See* Exhibit 7 (“Scrabulous” boards at Scrabulous.com and Facebook.com).

36. The “Scrabulous” game board consists of the identical pattern, colors and award values of bonus squares as the SCRABBLE® board described in paragraphs 17 to 19. *Compare* Exhibits 1 and 7.

37. The “Scrabulous” game tiles are identical to the SCRABBLE® game tiles described in paragraph 17.

38. The Scrabulous website states that users outside the United States, Canada, Thailand and Israel should consult the “SOWPODS Scrabulous Dictionary,” which is alleged to be a “combination of the OSPD and OSW word lists.” Users inside those countries should use the “Tournament Word List dictionary.” *See* Exhibit 8 (“Scrabulous Dictionaries,” “SOWPODS Dictionary” and “TWL (Tournament Word List) Dictionary” pages at

Scrabulous.com). Links are provided where users may download the complete Tournament Word List and SOWPODS “Scrabulous” Dictionary at www.stackwords.com, a domain registered to RJS. *See* Exhibit 9 (“SOWPODS Dictionary” page with download dialogue box and “TWL (Tournament Word List) Dictionary” page with download dialogue box).

39. There is no “SOWPODS Scrabulous Dictionary”; the website instead uses the official international tournament word list.

40. There is no Scrabulous “Tournament Word List;” the website instead uses the OWL that is edited and published by Hasbro’s authorized licensee as described in paragraphs 21 to 23.

41. Defendants sell merchandise bearing the “Scrabulous” name and the image of a tile bearing the letter “S” and a dot in the position of the subscripted point value on SCRABBLE® tiles. *See* Exhibit 10.

42. Defendants have no license, permission, or authorization from Hasbro for any of their activities.

FIRST CLAIM (FOR COPYRIGHT INFRINGEMENT)

43. Hasbro hereby incorporates by reference paragraphs 1 through 12, 17 through 24, and 28 through 42 as if fully set forth herein.

44. Defendants have infringed Hasbro's copyrights in the SCRABBLE® crossword game and The Official SCRABBLE® Players Dictionary by copying and publicly displaying and/or preparing or authorizing the preparation of a derivative work of copyrightable matter in Hasbro's SCRABBLE® crossword game and The Official SCRABBLE® Players Dictionary, without Hasbro’s consent or authorization.

45. By reason of the foregoing, Defendants have been unjustly enriched and Hasbro has been irreparably harmed, has no adequate remedy at law, and has been damaged in an amount to be determined by the trier of fact.

46. Defendants' infringement of Hasbro's copyrights has been deliberate, willful and in utter disregard of Hasbro's rights.

SECOND CLAIM (FOR TRADEMARK INFRINGEMENT)

47. Hasbro hereby incorporates by reference paragraphs 1 through 20 and 25 through 42 as if fully set forth herein.

48. Defendants' use of the "Scrabulous" name, SCRABBLE® gameboard design, SCRABBLE® tiles, as well as their use of the SCRABBLE® name in metatags and otherwise in promoting their game are likely to cause confusions, mistake, deception and/or create the misleading impression that defendants are licensed by, affiliated with, endorsed by, or in some way associated with Hasbro.

49. By reason of the foregoing, defendants have infringed Hasbro's trademarks in the SCRABBLE® crossword game in violation of sections 32(1) and 43(a) of the Lanham Act, 15 U.S.C. §§ 1114(1), 1125(a).

50. Defendants' unlawful acts have unjustly enriched them and have caused and continue to cause irreparable injury to the value and goodwill of the SCRABBLE® crossword game trademarks, as well as to Hasbro's business, goodwill and reputation. In addition, Hasbro has been damaged in a monetary amount to be determined at trial.

51. The unlawful acts alleged herein have been deliberate, willful, and in utter disregard of Hasbro's rights.

THIRD CLAIM (FOR TRADEMARK DILUTION)

52. Hasbro hereby incorporates by reference paragraphs 1 through 20 and 25 through 42 as if fully set forth herein.

53. By reason of the foregoing, and in the alternative, defendants have diluted Hasbro's famous trademarks in the SCRABBLE® crossword game in violation of section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), New York General Business Law § 360(1), and the anti-dilution statutes and common law of other states.

54. Defendants' unlawful acts have caused and continue to cause irreparable injury to the value and goodwill of the SCRABBLE® crossword game trademarks, as well as to Hasbro's business, goodwill and reputation.

55. The unlawful acts alleged herein have been deliberate, willful, and in utter disregard of Hasbro's rights.

FOURTH CLAIM (FOR COMMON LAW UNFAIR COMPETITION)

56. Hasbro hereby incorporates by reference paragraphs 1 through 20 and 25 through 42 as if fully set forth herein.

57. By reason of the foregoing, Defendants have engaged in unfair competition in violation of the common law of New York and numerous other states.

58. Defendants' unlawful acts have unjustly enriched them and have caused and continue to cause irreparable injury to the value and goodwill of the SCRABBLE® crossword game trademarks, as well as to Hasbro's business, goodwill and reputation. In addition, Hasbro has been damaged in a monetary amount to be determined at trial.

59. The unlawful acts alleged herein have been deliberate, willful, and in utter disregard of Hasbro's rights.

WHEREFORE, Hasbro demands judgment against defendants as follows:

A. Pursuant to Rule 65 of the Federal Rules of Civil Procedure, 17 U.S.C. § 502, and 15 U.S.C. § 1116, permanently enjoining defendants, their agents, servants, employees, attorneys, and all other persons in active concert or participation with any of them,

i. from advertising, displaying, promoting, distributing, selling, offering to sell, or licensing the “Scrabulous” game and any other substantially similar game; and

ii. from using the term “Scrabulous,” the SCRABBLE® tiles and gameboard, or any other word or image likely to cause confusion or mistake as all or part of a trademark on or in connection with a game.

B. Ordering defendants to disable the URL www.scrabulous.com and deny access to the “Scrabulous” game from Facebook.com and any other websites and by any other means.

C. Ordering defendants to file with this Court and serve on Hasbro within thirty days after entry of the injunction a report in writing under oath setting forth in detail the manner and form in which defendants have complied with the injunction.

D. Awarding Hasbro, pursuant to 17 U.S.C. § 504, its statutory or actual damages suffered as a result of the copyright infringement, and any profits of defendant not taken into account in computing the actual damages.

E. Awarding Hasbro, pursuant to 15 U.S.C. § 1117(a) and the common law, defendants' profits, Hasbro's damages, and the costs of the action.

F. Awarding Hasbro its reasonable attorneys fees and full costs of this action pursuant to 17 U.S.C. § 505.

G. Declaring this to be an "exceptional case" under § 35(a) of the Lanham Act, 15 U.S.C. § 1117, and awarding Hasbro its reasonable attorneys fees and full costs.

H. Granting Hasbro any other remedy to which it may be entitled as provided for in 17 U.S.C. §§ 502-505; 15 U.S.C. §§ 1116-1118, 1125(c); and under the common law.

I. Grant Hasbro such other and further relief as the Court deems just and proper.

Jury Trial Demand

Hasbro demands trial by jury of all issues so triable.

Dated: New York, New York
July 24, 2008



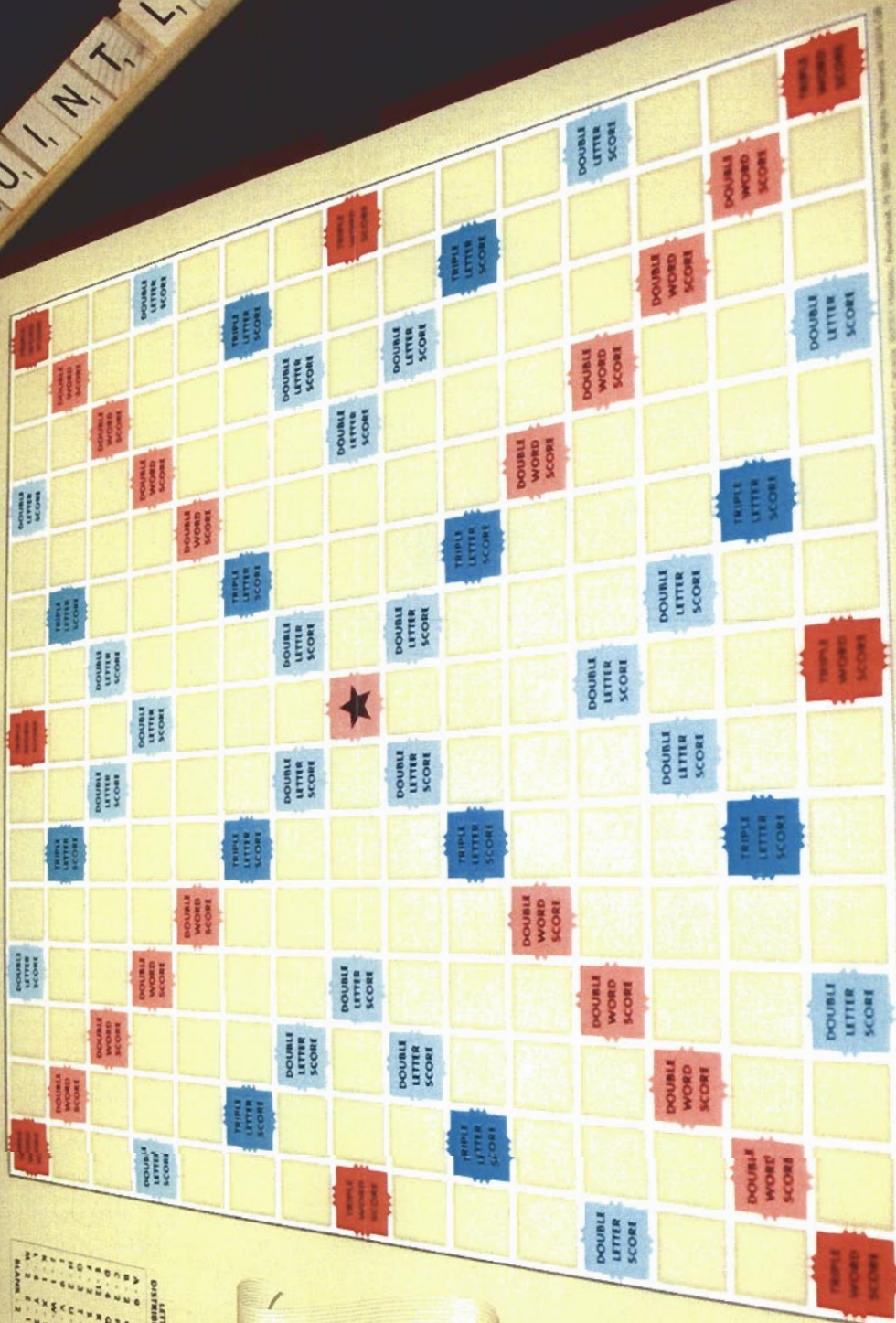
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EXHIBIT 1

T, O, U, S, L, E, E,

Q, U, I, N, T, L, A,



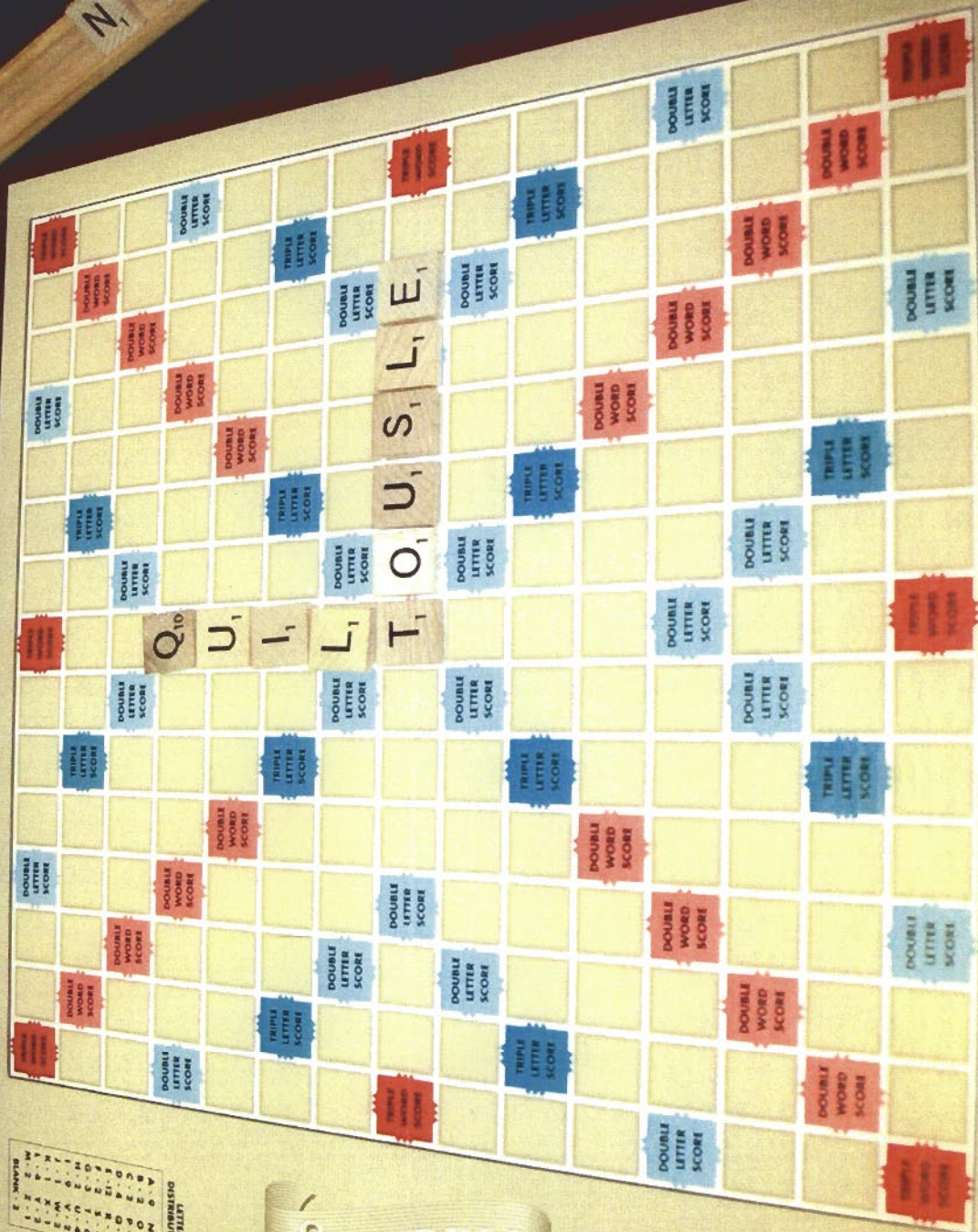
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SCRABBLE
WORDWORTH GAME

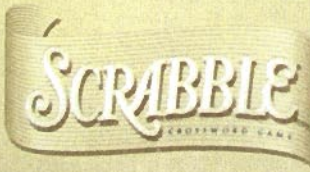
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LETTER DISTRIBUTION

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LETTER DISTRIBUTION

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K	1	X	1
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EXHIBIT 2

**APPLICATION FOR REGISTRATION
OF A CLAIM TO COPYRIGHT IN A BOOK PUBLISHED
IN THE UNITED STATES OF AMERICA**

R626418

REGISTRATION NO.	CLASS
OCIA A 104547	A

INSTRUCTIONS.—Fill in the applicable items on all pages. Pages 1 and 2 must be written either with pen and ink or on the typewriter. Page 1a will be returned to you as your Certificate of Registration and therefore should be filled in with care to agree with page 1. Carbon paper may be used for page 1a but as most carbons will smudge, the Certificate will look neater if typed separately. Mail all pages to the Register of Copyrights, Library of Congress, Washington 25, D. C., together with two copies of the work and the statutory fee of \$2. Make your remittance payable to the Register of Copyrights. See page 2a for full instructions.

1. COPYRIGHT OWNER OR OWNERS (Give full names and addresses)

The Production and Marketing Corporation

R.F.D. #1 Newtown, Connecticut

2. TITLE OF BOOK Scrabble

3. AUTHORS (Editors, Translators, etc.) Full name (including full middle name), pseudonym (if any), and year of birth and, if dead, year of death, are requested for cataloging purposes.

(a) Name James Brunot Citizenship U.S.A.
(First) (Middle) (Last) (Country)

Domicile R.F.D. #1 Newtown, Connecticut Birth 1902 Death ---
(Address) (Year) (Year)

(b) Name _____ Citizenship _____
(First) (Middle) (Last) (Country)

Domicile _____ Birth _____ Death _____
(Address) (Year) (Year)

(c) Name _____ Citizenship _____
(First) (Middle) (Last) (Country)

Domicile _____ Birth _____ Death _____
(Address) (Year) (Year)

4. (a) Check one of the following ONLY if your book is:

- ☐ A new edition of a previously published book.
☐ A translation.
☐ A serial republished in book form with new matter.
☐ United States edition of a book first published abroad on (Date) _____
in the English language and registered under Ad Interim No. _____

(b) If checked above give title and author of original publication (if different from present book) and a brief statement of the nature of the new matter in this edition:

SEND CERTIFICATE, REFUND (IF ANY), AND OTHER COMMUNICATIONS TO:

Name Watson, Cole, Grindle & Watson

Address 815 Fifteenth Street, N.W.
(Number and Street)

Washington 5 D. C.
(City) (Zone) (State)

FOR COPYRIGHT OFFICE USE ONLY	
DATES OF RECEIPT	
APPLICATION AND AFFIDAVIT	
DEC 10 1948	
TWO COPIES OF BOOK	
DEC 10 1948	
REMITTANCE NO.	
89277 DEC 13 '48	

AFFIDAVIT

IMPORTANT.—Fill in this affidavit, sign it before an officer authorized to administer oaths within the United States, such as a notary public, who must place his signature, date of execution, and official seal upon the affidavit. The execution of this affidavit must be subsequent to the facts stated therein and must be made by an individual.

~~State of~~ District of } ss:
~~County of~~ Columbia }

I, the undersigned, depose and say that I am the * duly authorized agent or representative residing in the United States of the * person claiming copyright in the book described in this application; that the copies of this book deposited in the Copyright Office were printed in the United States by The Bee Publishing Co.

(Name of establishment doing printing)

at Newtown, Connecticut from type set or by other process
 (City) (State)
 performed in the United States by The Bee Publishing Co.

(Name of establishment)

at Newtown, Connecticut; that the binding, if any, of this book
 (City) (State)
 was done in the United States by _____

(Name of establishment doing binding)

at _____; that this book was published on
 (City) (State)
December 1, 1948 in the United States.
 (Month, day, and year)

Aubrey E. Hummer
 (Signature of affiant)

PLACE
 [NOTARIAL SEAL]
 HERE

(Copyright Act makes use of
 official seal obligatory)

Subscribed and ~~affirmed~~ ^{sworn to} before me

this 9th day of December, 1948.

Helen M. Baldwin
 (Signature of notary)

MY COMMISSION EXPIRES FEB. 14, 1953. HELEN M. BALDWIN
 NOTARY PUBLIC, D.C.

*This affidavit is in form for use by an agent of the copyright claimant. The Copyright Act permits the affidavit to be made instead by the claimant himself or the printer of the book. If it is to be made by the former, cross out the words between the two *. If it is to be made by a printer who is not an agent of the claimant, cross out these words and also the succeeding phrase "person claiming copyright in" and write in their place the words "printer of."

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Page 1

Application for Registration of a Claim to Renewal Copyright

FORM R

REGISTRATION NO.

R 626418

DO NOT WRITE HERE

Instructions: Make sure that all applicable spaces have been completed before you submit the form. The application must be **SIGNED** at line 8. For further information, see page 4.

Pages 1 and 2 should be typewritten or printed with pen and ink. Pages 3 and 4 should contain exactly the same information as

pages 1 and 2, but may be carbon copies.

Mail all pages of the application to the Register of Copyrights, Library of Congress, Washington, D.C. 20559, together with the registration fee of \$4. Make your remittance payable to the Register of Copyrights.

1. Renewal Claimant(s), Address(es), and Statement of Claim: Give the full name(s) and mailing address(es) of the claimant(s) of the renewal copyright. State the statutory category of each renewal claimant. It must be one of the categories described on Page 4.

(a) Name Selchow & Righter Company

Address 2215 Union Boulevard, Bay Shore, New York 11706

Claiming as Proprietor of a copyright in a work made for hire

(Use the appropriate statement appearing on page 4)

(b) Name

Address

Claiming as

(Use the appropriate statement appearing on page 4)

(c) Name

Address

Claiming as

(Use the appropriate statement appearing on page 4)

2. (a) Title: Give the full title of the work. In the case of music, give specific instrumentation.

[Rules For] SCRABBLE [Sheet]

(b) Renewable Matter: If the work was a new version of a previous work, renewal may be claimed only in the new matter. If this work was a new version, state in general the new matter (e.g., arrangement, editing, illustrations, translation, etc.) upon which copyright was claimed.

(c) Contribution to Periodical or Other Composite Work: If the work was a contribution, give the title of the periodical or composite work in which it was published.

If a periodical, give: Vol. _____; No. _____; Issue Date _____

3. Authors of Renewable Matter: Give the names of all authors who contributed copyrightable matter to this version, but not the names of authors of previous versions. James Brunot

4. Facts of Original Registration: The facts given here must agree with the Copyright Office records of the original registration.

Original registration number: Class AA; No. 104,547

If registered as published, give date of publication December 1, 1948
(Month) (Day) (Year)

If registered as unpublished, give date of registration _____
(Month) (Day) (Year)

Original copyright claimant The Production and Marketing Corporation

(Name of claimant in original registration)

Complete all applicable spaces on next page

EXAMINER

BT

5. If registration fee is to be charged to a deposit account established in the Copyright Office, give name of account:

6. Name and address of person or organization to whom correspondence or refund, if any, should be sent:

Name Watson Cole Grindle & Watson Address 1909 K Street, N.W., Wash. D.C. 20006

7. Send certificate to:

(Type or
print
name and
address) Address

F.M. deRosa
Watson, Cole, Grindle & Watson

1909 K Street, N.W.

(Number and street)

Washington, D.C. 20006

(City)

(State)

(ZIP code)

8. Certification:

(Application not
acceptable
unless signed)

I CERTIFY that the statements made by me in this application are correct to the best of my knowledge.



F.M. deRosa

(Signature of renewal claimant or duly authorized agent)

Application Forms

Copies of the following forms will be supplied by the Copyright Office without charge upon request:

Class A Form A—Published book manufactured in the United States of America.

Class A or B Form A-B Foreign—Book or periodical manufactured outside the United States of America (except works subject to the ad interim provisions of the copyright law).

Form A-B Ad Interim—Book or periodical in the English language manufactured and first published outside the United States of America.

Class B Form B—Periodical manufactured in the United States of America.

Form BB—Contribution to a periodical manufactured in the United States of America.

Class C Form C—Lecture or similar production prepared for oral delivery.

Class D Form D—Dramatic or dramatico-musical composition.

Class E Form E—Musical composition the author of which is a citizen or domiciliary of the United States of America or which was first published in the United States of America.

Form E Foreign—Musical composition the author of which is not a citizen or domiciliary of the United States of America and which was not first published in the United States of America.

Class F Form F—Map.

Class G Form G—Work of art or a model or design for a work of art.

Class H Form H—Reproduction of a work of art.

Class I Form I—Drawing or plastic work of a scientific or technical character.

Class J Form J—Photograph.

Class K Form K—Print or pictorial illustration.

Form KK—Print or label used for an article of merchandise.

Class L or M Form L-M—Motion picture.

Class N Form N—Sound recording.

• Form R—Renewal copyright.

• Form U—Notice of use of musical composition on mechanical instruments.

FOR COPYRIGHT OFFICE USE ONLY	
Application received	
FEB 23 1976	
Fee received	
168009 FEB 23 76	

APPLICATION FOR REGISTRATION OF A CLAIM TO COPYRIGHT IN A PRINT OR PICTORIAL ILLUSTRATION

R 626417

REGISTRATION NO.	CLASS
626417	K
DO NOT WRITE HERE	
PRINT OR PICTORIAL ILLUSTRATION	FORM K

INSTRUCTIONS.—Fill in the applicable items on pages 1 and 1a. Page 1 must be an original copy either printed with pen and ink or typewritten. Page 1a will be returned to you as your Certificate of Registration and therefore should be filled in with care to agree with page 1. Carbon paper may be used for page 1a, but as most carbons will smudge, the certificate will look neater if typed separately. Mail pages 1 and 1a to the Register of Copyrights, Library of Congress, Washington 25, D. C., together with \$4 and two copies. In case the work is by a foreign author and published in a foreign country, one copy is sufficient. Make your remittance payable to the Register of Copyrights. See page 2a for full instructions.

1. COPYRIGHT CLAIMANT OR CLAIMANTS (Full NAMES and ADDRESSES):

Production and Marketing Corporation

R.F.D. #1 Newtown, Connecticut

2. TITLE OF WORK

Scrabble

3. AUTHOR (The word "Author" includes an employer in the case of works made for hire). Full name (including middle name) and pseudonym (if any):

NAME James Brunot CITIZENSHIP U.S.A.
(First) (Middle) (Last) (Give name of country)

DOMICILE R.F.D. #1 Newtown, Connecticut
(Address)

4. DATE COPIES WERE FIRST PLACED ON SALE, SOLD, OR PUBLICLY DISTRIBUTED:

(a) If published in the United States December 1, 1948
(Month, day, and year)

(b) If published outside the United States:

----- at -----
(Month, day, and year) (City and country)

5. IF PRODUCED OUTSIDE THE UNITED STATES by lithographic or photoengraving process, state where

(Country)

6. SEND CERTIFICATE, REFUND (IF ANY), AND OTHER COMMUNICATIONS TO:

NAME Watson, Cole, Grindle & Watson

ADDRESS 215 Fifteenth Street, N.W.
(Number and street)

Washington 5, D. C.
(City) (Zone) (State)

FOR COPYRIGHT OFFICE USE ONLY	
APPLICATION RECEIVED	
DEC 10 1948	
ONE COPY RECEIVED	
TWO COPIES RECEIVED	
DEC 10 1948	
REMITTANCE NO.	
\$4.00	89277 DEC 13 48

Page 1

Application for Registration of a Claim to Renewal Copyright

FORM R

REGISTRATION NO.

R 626417

DO NOT WRITE HERE

Instructions: Make sure that all applicable spaces have been completed before you submit the form. The application must be **SIGNED** at line 8. For further information, see page 4.

Pages 1 and 2 should be typewritten or printed with pen and ink. Pages 3 and 4 should contain exactly the same information as

pages 1 and 2, but may be carbon copies.

Mail all pages of the application to the Register of Copyrights, Library of Congress, Washington, D.C. 20559, together with the registration fee of \$4. Make your remittance payable to the Register of Copyrights.

1. Renewal Claimant(s), Address(es), and Statement of Claim: Give the full name(s) and mailing address(es) of the claimant(s) of the renewal copyright. State the statutory category of each renewal claimant. It must be one of the categories described on Page 4.

(a) Name Selchow & Righter Company

Address 2215 Union Boulevard, Bay Shore, New York 11706

Claiming as Proprietor of a copyright in a work made for hire

(Use the appropriate statement appearing on page 4)

(b) Name _____

Address _____

Claiming as _____

(Use the appropriate statement appearing on page 4)

(c) Name _____

Address _____

Claiming as _____

(Use the appropriate statement appearing on page 4)

2. (a) Title: Give the full title of the work. In the case of music, give specific instrumentation.

Gameboard for SCRABBLE

(b) Renewable Matter: If the work was a new version of a previous work, renewal may be claimed only in the new matter. If this work was a new version, state in general the new matter (e.g., arrangement, editing, illustrations, translation, etc.) upon which copyright was claimed.

(c) Contribution to Periodical or Other Composite Work: If the work was a contribution, give the title of the periodical or composite work in which it was published.

If a periodical, give: Vol. _____; No. _____; Issue Date _____

3. Authors of Renewable Matter: Give the names of all authors who contributed copyrightable matter to this version, but not the names of authors of previous versions. James Brunot

4. Facts of Original Registration: The facts given here must agree with the Copyright Office records of the original registration.

Original registration number: Class K; No. 18528

If registered as published, give date of publication December 1, 1948

(Month) (Day) (Year)

If registered as unpublished, give date of registration _____

(Month) (Day) (Year)

Original copyright claimant The Production and Marketing Corporation

(Name of claimant in original registration)

Complete all applicable spaces on next page

EXAMINER
61

5. If registration fee is to be charged to a deposit account established in the Copyright Office, give name of account:

6. Name and address of person or organization to whom correspondence or refund, if any, should be sent:

Name Watson Cole Grindle & Watson Address 1909 K Street, N.W., Wash. D.C. 20006

7. Send certificate to:

(Type or
print Name
name and
address) Address

F.M. deRosa
Watson, Cole, Grindle & Watson

1909 K Street, N.W.

(Number and street)

Washington, D.C. 20006

(City)

(State)

(ZIP code)

8. Certification:

(Application not
acceptable
unless signed)

I CERTIFY that the statements made by me in this application are correct to the best of my knowledge.



(Signature of renewal claimant or duly authorized agent)

Application Forms

Copies of the following forms will be supplied by the Copyright Office without charge upon request:

Class A Form A—Published book manufactured in the United States of America.

Class A Form A-B Foreign—Book or periodical manufactured outside the United States of America (except works subject to the ad interim provisions of the copyright law).

Class B Form A-B Ad Interim—Book or periodical in the English language manufactured and first published outside the United States of America.

Class B Form B—Periodical manufactured in the United States of America.

Class B Form BB—Contribution to a periodical manufactured in the United States of America.

Class C Form C—Lecture or similar production prepared for oral delivery.

Class D Form D—Dramatic or dramatico-musical composition.

Class E Form E—Musical composition the author of which is a citizen or domiciliary of the United States of America or which was first published in the United States of America.

Class E Form E Foreign—Musical composition the author of which is not a citizen or domiciliary of the United States of America and which was not first published in the United States of America.

Class F Form F—Map.

Class G Form G—Work of art or a model or design for a work of art.

Class H Form H—Reproduction of a work of art.

Class I Form I—Drawing or plastic work of a scientific or technical character.

Class J Form J—Photograph.

Class K Form K—Print or pictorial illustration.

Class K Form KK—Print or label used for an article of merchandise.

Class L or M Form L-M—Motion picture.

Class N Form N—Sound recording.

• Form R—Renewal copyright.

• Form U—Notice of use of musical composition on mechanical instruments.

FOR COPYRIGHT OFFICE USE ONLY

Application received

FEB 23 1976

Fee received

168009 FEB 23 76

FORM TX

UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER	
TX	48-841
EFFECTIVE DATE OF REGISTRATION	
5	22 78
Month	Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE CONTINUATION SHEET

1	TITLE OF THIS WORK:		PUBLISHED OR ALTERNATIVE TITLES:	
	THE OFFICIAL SCRABBLE® PLAYERS DICTIONARY			
	If a periodical or serial give: Vol. No. Issue Date.			
PUBLICATION AS A CONTRIBUTION: (If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared.)				
Title of Collective Work Vol. No. Date Pages				

2	IMPORTANT: Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). If any part of this work was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of this part, and leave the space for data blank.			
	NAME OF AUTHOR: G. & C. Merriam Company		DATES OF BIRTH AND DEATH:	
	Was this author's contribution to the work a "work made for hire"? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Born (Year) Died (Year)	
1	AUTHOR'S NATIONALITY OR DOMICILE:		WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:	
	Citizen of (Name of Country) or Domiciled in (Name of Country)		Anonymous? Yes No Pseudonymous? Yes No	
	AUTHOR OF: (Briefly describe nature of this author's contribution) Entire Text		If the answer to either of these questions is Yes, see detailed instructions attached.	
2	NAME OF AUTHOR:		DATES OF BIRTH AND DEATH:	
	Was this author's contribution to the work a "work made for hire"? Yes <input type="checkbox"/> No <input type="checkbox"/>		Born (Year) Died (Year)	
	AUTHOR'S NATIONALITY OR DOMICILE:		WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:	
3	NAME OF AUTHOR:		DATES OF BIRTH AND DEATH:	
	Was this author's contribution to the work a "work made for hire"? Yes <input type="checkbox"/> No <input type="checkbox"/>		Born (Year) Died (Year)	
	AUTHOR'S NATIONALITY OR DOMICILE:		WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:	

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED:	DATE AND NATION OF FIRST PUBLICATION:
Year 1978	Date May 16, 1978
	Nation United States of America
(Complete this block ONLY if this work has been published.)	

4	NAME(S) AND ADDRESS(ES) OF COPYRIGHT CLAIMANT(S):	
	G. & C. Merriam Company 47 Federal Street Springfield, Massachusetts 01101	
TRANSMIT: If the copyright claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) acquired ownership of the copyright.		

Complete all applicable spaces (numbers 5-11) on the reverse side of this page.

See detailed instructions attached.

See the form at the 10

DO NOT WRITE HERE

Page 1 of 2 pages

EXAMINED BY: <i>P. E.</i> CHECKED BY: <i>P. E.</i>	APPLICATION RECEIVED: MAY 22 1978	FOR COPYRIGHT OFFICE USE ONLY
	DEPOSIT RECEIVED: MAY 22 1978	
	REMITTANCE NUMBER AND DATE: 202586 MAY 22 78	
CORRESPONDENCE: <input type="checkbox"/> Yes		
DEPOSIT ACCOUNT FUNDS USED: <input type="checkbox"/>		

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED ADDITIONAL SPACE, USE CONTINUATION SHEET (FORM TX/CON)

PREVIOUS REGISTRATION: Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office? Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) <input type="checkbox"/> This is the first published edition of a work previously registered in unpublished form. <input type="checkbox"/> This is the first application submitted by the author as copyright claimant. <input type="checkbox"/> This is a changed version of the work, as shown by line 4 of this application. If your answer is "Yes," give Previous Registration Number Year of Registration	5 Previous Registration
--	--------------------------------------

COMPILATION OR DERIVATIVE WORK: (See instructions) PREEXISTING MATERIAL: (Identify any preexisting work or works that this work is based on or incorporates.) MATERIAL ADDED TO THIS WORK: (Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.)	6 Compilation or Derivative Work
---	---

MANUFACTURERS AND LOCATIONS: (If this is a published work consisting preponderantly of nondramatic literary material in English, the law may require that the copies be manufactured in the United States or Canada for full protection. If so, the names of the manufacturers who performed certain processes, and the places where these processes were performed must be given. See instructions for details.) NAMES OF MANUFACTURERS: W. A. Ruppert Co. (typesetter) R. E. Donnellay & Sons Co. (ptr. & binder) PLACES OF MANUFACTURE: Brookfield, Wisconsin 53005 Willard, Ohio 44890	7 Manufactur- ing
---	--------------------------------

REPRODUCTION FOR USE OF BLIND OR PHYSICALLY-HANDICAPPED PERSONS: (See instructions) * Signature of this form, at space 10, and a check in one of the boxes here in space 8, constitutes a non-exclusive grant of permission to the Library of Congress to reproduce and distribute copies for the blind and physically handicapped and under the conditions and limitations prescribed by the regulations of the Copyright Office: (1) copies of the work identified in space 1 of this application in Braille for similar tactile symbols; or (2) phonorecords embodying a fixation of a reading of this work; or (3) both. <input type="checkbox"/> Copies and phonorecords <input type="checkbox"/> Copies Only <input type="checkbox"/> Phonorecords Only	8 License For Handicapped
--	---

DEPOSIT ACCOUNT: (If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.) Name: Account Number:	CORRESPONDENCE: (Give name and address to which correspondence about this application should be sent.) Crawford Lincoln, G. & C. Merriam Co. Address: 47 Federal Street, P.O. Box 281 Springfield, Mass. 01101 (City) (State) (ZIP)	9 Fee and Correspondence
---	---	---------------------------------------

CERTIFICATION: * I, the undersigned, hereby certify that I am the: (Check one) <input type="checkbox"/> author <input type="checkbox"/> other copyright claimant <input type="checkbox"/> owner of exclusive right(s) <input type="checkbox"/> authorized agent of: of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge. Signature: <i>Crawford Lincoln</i> Typed or printed name: Crawford Lincoln, Vice-Pres. & Secretary Date: May 17, 1978	10 Certification (Application must be signed)
---	--

MAIL CERTIFICATE TO (Certificate will be mailed in window envelope) Address for Return of Certificate:	11
---	-----------

* 17 U.S.C. § 506(c). Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

EXHIBIT 3

Int. Cl.: 28

Prior U.S. Cl.: 22

United States Patent and Trademark Office

Reg. No. 524,505

Registered Apr. 25, 1950

10 Year Renewal

Renewal Approved June 20, 1990

TRADEMARK
PRINCIPAL REGISTER

SCRABBLE

MILTON BRADLEY COMPANY (MAS-
SACHUSETTS CORPORATION)
443 SHAKER ROAD
EAST LONGMEADOW, MA 01028, AS-
SIGNEE BY MESNE ASSIGNMENT
PRODUCTION AND MARKETING
CORPORATION, THE (CONNECTI-
CUT CORPORATION) NEWTON, CT

FOR: [GAME INCLUDING BOARD
AND PLAYING PIECES] • EQUIPMENT
AND ACCESSORIES FOR PLAYING A
BOARD GAME *, IN CLASS 22 (INT. CL.
28).

FIRST USE 12-1-1948; IN COMMERCE
12-1-1948.

SER. NO. 71-570,633, FILED 12-16-1948.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on July 31, 1990.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Registered Apr. 27, 1954

Registration No. 589,217

PRINCIPAL REGISTER
Trade-Mark

UNITED STATES PATENT OFFICE

The Production and Marketing Corporation, New-
town, Conn., assignor, by mesne assignments, to
Production and Marketing Company, Bethel,
Conn., a copartnership composed of Helen
Brunot and James Brunot

Act of 1946

Application September 9, 1953, Serial No. 652,971

SCRABBLE

STATEMENT

The Production and Marketing Corporation, a corporation duly organized under the laws of the State of Connecticut and doing business at Newtown, Connecticut, has adopted and is using the trade-mark shown in the accompanying drawing, for SCORING DEVICES AND TURN-TABLES USED IN THE PLAYING OF GAMES AND BOARD GAMES, in Class 22, Games, toys, and sporting goods, and presents herewith five specimens or facsimiles showing the trade-mark as actually used in connection with the goods, the trade-mark being applied or affixed to the goods by stamping and printing the mark upon same and packages containing the same and in other ways customary to the trade, and requests that the same be registered in the United States Patent Office on the Principal Register in accordance with the act of July 5, 1946.

The trade-mark was first used on turn-tables on August 21, 1953, and first used on the scoring device on September 2, 1953, and was first used in commerce among the several States which may lawfully be regulated by Congress on September 3, 1953.

The trade-mark is also used by applicant's licensees which are controlled by the applicant as to the nature and quality of the goods to which the trade-mark is applied.

Applicant is the owner of United States Trade-Mark Registration No. 524,505, dated April 25, 1950.

**THE PRODUCTION AND MARKET-
ING CORPORATION,**
By JAMES BRUNOT,
President.

United States Patent Office

802,995
Registered Feb. 1, 1966

PRINCIPAL REGISTER Trademark

Ser. No. 213,157, filed Mar. 2, 1965

SCRABBLE

Production and Marketing Company (partnership)
Newton, Conn.

For: EQUIPMENT AND ACCESSORIES — NAME-
LY, ANAGRAMS, A DICE CUP, CUBES AND A
TIMER FOR PLAYING A WORD GAME — in
CLASS 22.

First use December 1964; in commerce December 1964.
Owner of Reg. Nos. 524,505, 617,871, and others.

V. T. HARFORD JR., *Examiner.*

Int. Cl.: 28

U.S. Cl.: 22

Reg. No. 1,136,336

U.S. Patent and Trademark Office

Registered May 27, 1980

TRADEMARK

Principal Register

SCRABBLE

Selchow & Righter Company (New York corporation)
2215 Union Blvd.
Bay Shore, N.Y. 11706

For: APPARATUS FOR PLAYING AN ELECTRON-
IC WORD GAME, in CLASS 28 (U.S. CL. 22).
First use Nov. 30, 1978; in commerce Nov. 30, 1978.
Owner of U.S. Reg. No. 524,505.

Ser. No. 199,812. Filed Jan. 12, 1979.

W. A. CONN, Primary Examiner

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 2,654,348

Registered Nov. 26, 2002

**TRADEMARK
PRINCIPAL REGISTER**

SCRABBLE

HASBRO, INC. (RHODE ISLAND CORPORATION)
1027 NEWPORT AVENUE
PAWTUCKET, RI 02862

OWNER OF U.S. REG. NOS. 524,505 AND 589,217.

FOR: COMPUTER GAME PROGRAMS, IN CLASS
9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SER. NO. 76-370,539, FILED 2-14-2002.

FIRST USE 8-19-1997; IN COMMERCE 8-19-1997.

STEPHANIE DAVIS, EXAMINING ATTORNEY

EXHIBIT 4

6/14/37 PM 8/18/2008

Scrabulous | An amazing word game enjoyed by millions of players! - Microsoft Internet Explorer provided by Patterson Belknap W

File Edit View Favorites Tools Help

Address <http://www.scrabulous.com/>

scrabulous™

ENTER

Username:

Password: Forgot?

☐ Remember me

WELCOME TO SCRABULOUS

SIGN UP **LOGIN**

Scrabulous is the coolest word game enjoyed by millions of users! Besides regular Scrabulous you can also play Scrabulous over emails, get an adrenaline rush with Scrabulous Blitz, or just practice with the computer.

Registration and all games at Scrabulous are free! So sign up now and have hours of fun with your friends, and people from all over the world. You don't have to download any software or install applications to play Scrabulous.

Some details of the games available at Scrabulous are given below.

Just Scrabulous

Play online against users from all over the world. You can also play live with friends privately inside the rooms. Be it fast paced or a relaxed game, this is classic Scrabulous.

Email Version

Play with your friends over emails. No registration is required and you don't have to be online at the same time. You can even play many games simultaneously.

Scrabulous Blitz

Get an adrenaline rush with Blitz. Players compete against each other in rounds that last 4 minutes. Whoever gets the highest score before the timer runs out, wins it.

Solitaire & Computer

Want to play against the robot or just practice by yourself? Software Scrabulous is the thing. Choose from over 10 levels of the robot and you can even save games.

Word of the Day: 247 Support
Email: admin@scrabulous.com

FIREFOX
Stop spam. Faster Browsing.

[Game Rules](#) [ABOUT US](#) [Advertise](#)

[Dictionary](#) [Link Back](#) [License](#)

[Variations](#) [FAQ/Profiles](#) [Privacy](#)

[Resources](#) [Game Stats](#) [Contact Us](#)

EXHIBIT 5

6/18/2008 6:18:58 PM

Facebook | Scrabulous - Microsoft Internet Explorer provided by Patterson Belknap Webb & Tyler

File Edit View Favorites Tools Help

Address <http://apps.facebook.com/scrabulous/>

Go SnagIt

facebook

Profile Friends Inbox

Search

Applications edit

Photos

Video

Groups

Events

Notes

Scrabulous

more

Save with Vonage

Vonage

Vonage Home Phone Service is unlimited local and long distance calling for just \$24.99/month. Sign up today and save up to \$300/yr.

More Ads Activate

REDACTED

games and [unlabeled games](#)

my games my stats global stats more users settings archive

START ONLINE

truTV

ONLINE PROGRAMS

AMERICAN INTERNATIONAL UNIVERSITY

MORE PROGRAMS

About Scrabulous

Start Practice Mode

The Fan Club

Scrabulous Group

Invite Friends

Buy Merchandise

Advertisers

Press & Media

Help

Contact Us

Page built by Scrabulous

About Find Friends Advertising Developers Terms Privacy Help

Done

Internet

EXHIBIT 6

6/22/08 1:01 PM

Scrabulous | Rules of the game - Microsoft Internet Explorer provided by Patterson Belknap Webb & Tyler

File Edit View Favorites Tools Help

Address <http://www.scrabulous.com/rules.php>


Go SnagIt

scrabulous™

ENTER

Username: Password: Forgot?

☐ Remember me



Need Help? 24/7 Support
Email: admin@scrabulous.com

Rules of Scrabulous

Scrabulous is easy! You can practice a few games to get the hang of it.

Some of the rules of Scrabulous online are:

- If you run out of time, you lose the game regardless of the scores. If this is not done, some users may let the time run out on purpose after getting a small lead.
- When your opponent quits a game, you get the win as well as the points. For more info, check out the [automatic adjudication system](#). If you play with a certified non-quitter (those with a star mark), you can be sure they won't quit.
- Resigning is not the same as quitting a game. When a user resigns, they are accepting defeat; the game is not stored, and you get the win and points instantly.
- Consulting dictionaries is allowed except when you are playing a challenge type game where users are allowed to play phony words. Please note that we do not edit the lists and are not responsible for the words included in the dictionaries.
- Word builders are strictly prohibited. While we cannot prevent users from cheating, if a player is repeatedly reported against, their account may be blocked.
- Users who abuse in the lobby, the players, or make racist remarks are permanently blocked. At Scrabulous you can be sure of having a very pleasant gaming experience every time. To report abusive action, please [contact us](#).

FIREFOX
Stop spam. Faster Browsing.

Game Rules	About Us	Advertise
Dictionary	Lobby Rules	License
Variations	User Profiles	Privacy
Resources	Game Skills	Contact Us

Internet

EXHIBIT 7

4:51:44 PM 6/18/2008

solitaire Scrabulous - Play The Single Player Word Game - Microsoft Internet Explorer provided by Patterson Belknap Webb & Tyle

File Edit View Favorites Tools Help

Address http://www.scrabulous.com/solitaire_scrabulous.php

scrabulous™

save up to \$160 instantly on printers
free shipping on orders \$24 & up
[shop now](#)

Welcome to Solitaire Scrabulous! To be able to save games, please sign in first and then come to this page.
You can also look up words in the [Scrabulous dictionaries](#) and [play Scrabulous live!](#)

CURRENT GAME INFO

25	00:00
Guest	

BEST MOVE

TOUTER (17 points) 0

STATS / HINT **TILES**

0 0 83

OPTIONS **HELP ME**

scrabulous™

NEW GAME **SWAP** **RACK** **CLEAR** **PASS**

U₁ **G₂** **K₅** **A₁** **G₂** **I₁** **L₁**

SUBMIT

Can't see tiles or unable to start a new game?
This generally happens if you are on a network or using wireless internet. To fix, please enable the TCP ports 24000-24100. As each setup is unique, you must contact the person who setup the network / internet.

Did the computer play a very funny word?
Please see word meanings at http://www.scrabulous.com/scrabulous_dictionary.php.

Does it always show you logged in as a guest?
You have to login first at www.scrabulous.com and then select solitaire option.

No board or NEW GAME button displayed?
Please download Java from www.java.com - it's free and you don't need ActiveX.

get professional installation, set up, and repair

available at

Applet.com/SolitaireScrabulous/ClientSide/GameApplet started

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Scrabulous Dictionaries

When you play a game of Scrabulous, you have the option of either using the SOWPODS dictionary or the TWL dictionary. Both are highly popular word lists used by millions of players across the world and even in official tournaments.

Important: Please read the information below carefully

- We do not edit the word list. Whatever words are there in the SOWPODS or the TWL dictionary, have been selected by officials who are not connected to Scrabulous.
- Please do not ask us why a certain word is there and why a certain word is not. For example, we cannot comment on why ZEN is invalid. Please contact an association near you to find out.
- You may use the SOWPODS or the TWL dictionary to look up words during a game. However, you should not use the dictionary when playing a challenge type game where you have the option of playing phoney words.
- The word lists are available for free and may be downloaded by anyone. Click on one of the dictionary links above to download the entire word list. Whenever the word lists are officially updated, we shall make changes as well. Check out this Wikipedia article for information on who maintains and updates the dictionaries.

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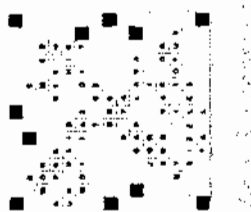
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SOWPODS Dictionary

The SOWPODS Scrabulous Dictionary is used in tournament Scrabulous all over the world except USA, Canada, Thailand and Israel, which use the [IWL](#) (Tournament Word List) dictionary. SOWPODS is a combination of the OSPD and OSW word lists. Scrabulous offers you the option to play with SOWPODS.

SOWPODS word list

The entire word list of the SOWPODS dictionary is available for instant download. This is available for free to our users. Please note that this is just a complete word list without the meanings. [Download the SOWPODS word list here!](#)

Search the SOWPODS dictionary

Please feel free to look up words in the online SOWPODS dictionary. We strongly recommend that you do not use this tool if you are playing a challenge type game.

Search

Two letter words

The SOWPODS dictionary has a total of 267751 words out of which 124 are two letter words. It is highly recommended that all Scrabulous players should learn these words. They are very useful when it comes to the last few tips.

For some more Scrabulous stuff check out our [resources](#) section

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TWL (Tournament Word List) Dictionary

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The TWL Dictionary is used primarily by players from USA, Canada, Thailand and Israel. The SOWPODS dictionary is used in other countries. The TWL is based on the OSPD with small modifications to make it more suitable for tournament play. The version of OSPD used in current North American play is TWL 2005.

TWL word list

The entire word list of the TWL dictionary is available for instant download. This is available for free to our users. Please note that this is just a complete word list without the meanings. [Download the TWL word list here.](#)

Search the TWL dictionary

Please feel free to look up words in the online TWL dictionary. We strongly recommend that you do not use this tool if you are playing a challenge type game.

Two letter words

The TWL dictionary has a total of 179591 words out of which 101 are two letter words. It is highly recommended that all Scrabulous players should learn these words. They are very useful when it comes to the last few tiles.

For some more Scrabulous stuff check out our [resources](#) section

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Address http://www.scrabulous.com/sowpods_dictionary.php

SOWPODS Dictionary

The SOWPODS Scrabulous Dictionary is used in tournament Scrabulous all over the world except USA, Canada, Thailand and Israel, which use the [IWL](#) (Tournament Word List) dictionary. SOWPODS is a combination of the OSPD and OSW word lists. Scrabulous offers you the option to play with SOWPODS.

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The SOWPODS dictionary is available for instant download. Please note that this is just a complete word list. [Sowpods word list here!](#)

While SOWPODS dictionary is strongly recommended, you are playing a challenge type game.

67751 words out of which 124 are two letters. At all Scrabulous players should learn to come to the last few files.

For some more Scrabulous stuff check out our [resources](#) section

Do you want to open or save this file?

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Type: WinZip File, 686 KB
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TWL (Tournament Word List) Dictionary

The TWL Dictionary is used primarily by players from USA, Canada, Thailand and Israel. The SOWPODS dictionary is used in other countries. The TWL is based on the OSPD with small modifications to make it more suitable for tournament play. The version of OSPD used in current North American play is TWL 2005.

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TWL word list

The entire word list of the TWL dictionary is available for instant download. This is the word list here!

Online TWL dictionary. We strongly recommend you are playing a challenge type game.

Words out of which 101 are two letter. Scrabulous players should learn these to the last few files.

For some more Scrabulous stuff, check out our resources section

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
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